

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONTAE FRANKLIN,

Defendant.

8:24-CR-150

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court upon the United States of America's Motion for Preliminary Order of Forfeiture. Filing 38. The Court has reviewed the record in this case and, being duly advised in the premises, finds as follows:

1. On June 4, 2025, the Court held a change of plea hearing for Defendant and Defendant entered a plea of guilty to Counts II and III and agreed to the Forfeiture Allegation in the Indictment. Filing 31; Filing 37.
2. Count II of the Indictment charged the Defendant with violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1).
3. Count III of the Indictment charged the Defendant with violation of 18 U.S.C. § 924(c)(1)(A).
4. By virtue of said plea of guilty, the Defendant has forfeited his interest in the firearm and ammunition. Accordingly, the United States should be entitled to possession of said firearm and ammunition pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).
5. The Government's Motion for Preliminary Order of Forfeiture should be granted.

IT IS ORDERED:

1. The Government's Motion for Preliminary Order of Forfeiture, Filing 38, is granted.
2. Based upon the plea of guilty, the Government is hereby authorized to seize the Glock 22 .40-caliber handgun and magazine which contained 14 live .40-caliber rounds.
3. Defendant's interest in the Glock 22 .40-caliber handgun and magazine which contained 14 live .40-caliber rounds is hereby forfeited to the Government for disposition in accordance with the law.
4. The Glock 22 .40-caliber handgun and magazine which contained 14 live .40-caliber rounds are to be held by the Government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the Government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the Government's intent to dispose of the subject property in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in any of the subject property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the Glock 22 .40-caliber handgun and magazine which contained 14 live .40-caliber rounds, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's

right, title, or interest in the Glock 22 .40-caliber handgun and magazine which contained 14 live .40-caliber rounds and any additional facts supporting the Petitioner's claim and the relief sought.

7. The Government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the Glock 22 .40-caliber handgun and magazine which contained 14 live .40-caliber rounds as a substitute for published notice as to those persons so notified.

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 30th day of June, 2025.

BY THE COURT:



Brian C. Buescher
United States District Judge